

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALIH P. AGUDA,

Plaintiff,

v.

UNKNOWN ORGANIZATION,

Defendant.

CASE NO. 22-00010-LK

ORDER DENYING MOTION FOR
A COURT DATE AND ORDER TO
SHOW CAUSE

This matter comes before the Court on its review of Plaintiff's complaint (Dkt. No. 4) under 28 U.S.C. § 1915(e)(2)(B) and on Plaintiff's Request for a Court Date (Dkt. No. 5). In that Request, Plaintiff, who is proceeding *pro se*, includes the words "Request for a Court Date," but he does not state what type of court date he is seeking. The Court will not set scheduling dates in this case at this time because Plaintiff's Complaint is deficient as set forth below.

This Court may dismiss a case in which the plaintiff, like Plaintiff in this case, is proceeding *in forma pauperis* at any time if it determines that the action is "frivolous or malicious" or "fails to state a claim on which relief may be granted." 28 U.S.C.


1 § 1915(e)(2)(B)(i)-(ii). And the Court must dismiss any action if it “determines at any time that it
2 lacks subject-matter jurisdiction.” Fed. R. Civ. P. 12(h)(3). The party asserting jurisdiction has
3 the burden of establishing all jurisdictional facts. *See United States v. Orr Water Ditch Co.*, 600
4 F.3d 1152, 1157 (9th Cir. 2010).

5 The Court, having reviewed the record as a whole, finds that Plaintiff's Complaint has not
6 established that the Court has subject matter jurisdiction over this matter. The Complaint fails to
7 identify any basis for the Court's jurisdiction. Furthermore, the Complaint fails to state a claim
8 upon which relief can be granted by a federal court. Plaintiff filed his Complaint against an
9 “Unknown Organization” as the only defendant but does not identify that defendant, set forth
10 any facts regarding its alleged wrongs, or identified any cause of action. A complaint “must
11 contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its
12 face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S.
13 544, 570 (2007)).

14 Plaintiff shall, within thirty (30) days of the date of this Order, file an amended complaint
15 that identifies the basis for the Court's subject matter jurisdiction and provides a short and plain
16 statement of the factual basis for each of his claims as required by Federal Rule of Civil
17 Procedure 8. In addition, any defendant shall be specifically identified in the caption of the
18 amended complaint. If an acceptable amended complaint is not filed within thirty (30) days of
19 the date of this Order, this action will be dismissed without prejudice. The Clerk of Court is
20 directed to send a copy of this Order to plaintiff and to place this Order to Show Cause on the
21 Court's calendar for February 25, 2022.

22 Plaintiff's Request for a Court Date (Dkt. No. 5) is DENIED.
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1 Dated this 10th day of January, 2022.

2 

3 Lauren King
4 United States District Judge